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IN THE UNITED STATES PATENT and TRADEMARK OFFICE  
Patent Applications Division

|                              |   |                            |
|------------------------------|---|----------------------------|
| In re Application of         | ) | Group Art Unit: 2875       |
| Todd A. BLAND                | ) | Examiner: Stephen F. HUSAR |
| Serial no.: 09/766,410       | ) |                            |
| filing date: 22 January 2001 | ) | Tel.nos.: 703-308-1932     |
| Title: "Lofty Visual Warning | ) | 703-305-4939               |
| Devices for Walking Shoes"   | ) |                            |

Applicant-BLAND's September 2003 Response to  
the 3 September 2003 Official Action

Honorable Assistant  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Responsive to the 3 September 2003 Official Action, kindly  
note applicant-BLAND's formal Response thereto, namely as follows:

As to page-1 of the 3 September 2003 Official Action: inasmuch  
as neither box 2a nor box 2b is checked, applicant-BLAND reasonably ass-  
umes that the 3 September 2003 Official Action is a NON-final Action.

The Examiner's objections appearing at page-1 (box 10b) and  
at page-2 (paragraph-1) of the 3 September 2003 Official Action are  
believed by applicant-BLAND to be an inappropriate objection because: at  
page-5 (line-8) of the 22 January 2001-filed Specification, the reference  
character "13" is described vis-a-vis the drawing.

Applicant-BLAND notes from page-1 (box-5) of the 3 September  
2003 Official Action that the Examiner has therein hospitably received  
applicant-BLAND's 24 January 2003 paper by now (3 Sept. 2003) allowing

According to his papers heretofore filed in this case, applic-  
BLAND verily believes his 24 January 2003-filed paper makes claim

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2 and 9 directly dependent upon allowed independent Claim 10; and that his 23 June 23 2003-filed paper makes Claim 12 directly dependent upon allowed independent Claim 11.

In view of the Examiner's 3 September 2003 allowance of pending Claims 2 and 9-12, described hereabove, and solely for the purpose of facilitating an early Notice-of-Allowance in this application, applicant-BLAND hereby cancels (without prejudice) the presently pending objected-to Claims nos. 4, 5, 7, and 13.

Respectfully submitted,

Todd A. Bland 09/19/2003  
Todd A. BLAND, the Applicant (date)  
13708 Frederick ~~Street~~ Avenue  
Omaha, Nebraska 68138

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Approved:

George R. Nimmer  
George R. Nimmer,  
PTO Reg. no. 21,004

#### Certificate of Mailing

I, Todd A. Bland (Todd A. BLAND) do hereby certify that this paper is being deposited with the U. S. Postal Service on this 18 day of September 2003 in a despatch envelope (1st class postage prepaid thereon) and addressed to : Commissioner for Patents  
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